

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Aug 12, 2024

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Steven Michael Cate

Case Number: 0980 2:22CR00006-TOR-1

Address of Offender: [REDACTED] Loon Lake, Washington 99148

Name of Sentencing Judicial Officer: The Honorable Dana Christensen, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: October 15, 2014

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. §§ 841(a)(1), 846

Original Sentence: Prison - 120 months
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael Louis Vander Giessen Date Supervision Commenced: January 11, 2022

Defense Attorney: Ryan Mark Farrell Date Supervision Expires: January 10, 2027

PETITIONING THE COURT

To issue a summons.

On January 11, 2022, the conditions of supervision were reviewed with Mr. Cate and he signed his judgment acknowledging his understanding.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #3:</u> The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
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Supporting Evidence: It is alleged Mr. Cate is in violation of his conditions of supervised release by admitting ingesting methamphetamine daily between July 25, and 28, 2024. He also allegedly admitted smoking marijuana on July 28, 2024.

On July 30, 2024, Mr. Cate contacted the undersigned officer telephonically and admitted he relapsed and ingested methamphetamine daily from July 25, to 28, 2024. On July 31, 2024, Mr. Cate reported to the U.S. Probation Office and provided a urine specimen that tested presumptive positive for the presence of amphetamine, methamphetamine, and marijuana. Mr. Cate signed a substance abuse admission form acknowledging his use of methamphetamine from July 25, to 28, 2024. He signed another substance abuse admission form acknowledging he smoked marijuana on or about July 28, 2024.

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Subsequently, the above-noted urine specimen was sent to Alere Toxicology Services, Inc. (Alere) for further analysis. On August 7, 2024, Alere confirmed the above-noted urine specimen tested positive for the presence of amphetamine, methamphetamine and marijuana.

- 2 **Modified Special Condition #9:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued absence from these substances.

On March 16, 2023, Mr. Cate was referred the phase urinalysis testing program at Alcohol Drug Education Prevention and Treatment (ADEPT) in Deer Park, Washington. Mr. Cate was instructed to call ADEPT on a daily basis to determine if he was required to submit to random drug testing.

Mr. Cate failed to appear for random drug testing at ADEPT on July 24, 2024.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 12, 2024

s/Erik Carlson

Erik Carlson

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Thomas O. Rice
United States District Judge

August 12, 2024

Date